DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration
Rockville MD 20857

JAN 8 2009

Re: Selzentry
Docket No.: FDA-2008-E-0194

The Honorable Jon Dudas
Undersecretary of Commerce for Intellectual Property
Director of the United States Patent and Trademark Office
Mail Stop Hatch-Waxman PTE
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Director Dudas:

This is in regard to the application for patent term extension for U.S. Patent No. 6,667,314, filed by Pfizer Inc., under 35 U.S.C. § 156 et seq. We have reviewed the dates contained in the application and have determined the regulatory review period for Selzentry (maraviroc), the human drug product claimed by the patent.

The total length of the regulatory review period for Selzentry (maraviroc) is 1,524 days. Of this time, 1,294 days occurred during the testing phase and 230 days occurred during the approval phase. These periods of time were derived from the following dates:

1. The date an exemption under subsection 505(i) of the Federal Food, Drug, and Cosmetic Act involving this drug product became effective: June 6, 2003.

   The applicant claims June 10, 2003, as the date the investigational new drug application (IND) became effective. However, FDA records indicate that the IND effective date was June 6, 2003, which was thirty days after FDA receipt of the IND.

2. The date the application was initially submitted with respect to the human drug product under section 505 of the Federal Food, Drug, and Cosmetic Act: December 20, 2006.

   The applicant claims December 19, 2006, as the date the new drug application (NDA) for Selzentry (NDA 22-128) was initially submitted. However, FDA records indicate that NDA 22-128 was submitted on December 20, 2006.

3. The date the application was approved: August 6, 2007.

   FDA has verified the applicant's claim that NDA 22-128 was approved on August 6, 2007.

This determination of the regulatory review period by FDA does not take into account the effective date of the patent, nor does it exclude one-half of the testing phase as required by 35 U.S.C. § 156(c)(2).

Please let me know if we can be of further assistance.

Sincerely yours,

Jane A. Axelrad
Associate Director for Policy
Center for Drug Evaluation and Research

cc: Christian Smolizza, Esq.
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